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FILED  
08 MAY 14 PM 4:22  
CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
DEPUTY

8 **UNITED STATES DISTRICT COURT**  
9 **FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

10  
11 GRANITE STATE INSURANCE  
12 COMPANY,

13 Plaintiff,

14 vs.

15 UNITED STATES OF AMERICA,

16 Defendant.

Case No.: 07cv2128-BEN (NLS)

NOTICE OF SETTLEMENT

17 TO THE COURT, TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

18 Please take notice that this case has settled in its entirety. Plaintiff will dismiss the case  
19 once the settlement paperwork has been executed and exchanged, and any other terms of the  
20 settlement satisfied.

21  
22 Dated: May 9, 2008

ADELSON, TESTAN, BRUNDO & JIMENEZ

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25 Davil R. Vasquez, Esq.  
26 Attorneys for Plaintiff GRANITE STATE  
27 INSURANCE COMPANY  
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**PROOF OF SERVICE**  
**STATE OF CALIFORNIA, COUNTY OF ORANGE**

I am employed in the County of Orange, State of California. I am over the age of eighteen years and not a party to the within entitled action. My business address is 1851 East First Street, Suite 100, Santa Ana, CA 92705.

On May 13, 2008, I served the within NOTICE OF SETTLEMENT on the interested parties by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States Mail at Santa Ana, CA addressed as follows:

Mark V. Caruana, Esq.  
Law Office of Mark V. Caruana  
2725 Jefferson Street, Suite 11  
Carlsbad, CA 92008

Melanie Andrews, Esq.  
Office of the U.S. Attorney  
Federal Office Building  
880 Front Street, Room 6293  
San Diego, CA 92101-8893

XX BY U.S. MAIL: As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Santa Ana, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing affidavit.

       BY OVERNIGHT DELIVERY: As follows: I enclosed the documents in an envelope or package provided by an overnight delivery carrier and addressed to the persons at the addresses listed above. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.

       BY FACSIMILE TRANSMISSION: As follows: I faxed the documents to the persons at the fax numbers listed above. No error was reported by the fax machine I used. A copy of the record of the fax transmission, which I printed out, is attached.

I declare under penalty of perjury of the State of California that the foregoing is true and correct.  
Executed on May 13, 2008, at Santa Ana, CA.

  
Theresa Balingit